

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

KEITH THOMPSON,

Plaintiff,

Against

OFFICER RUIZ, SHIELD # 10766 and  
OFFICER RAFAEL MIENTES, SHIELD #  
30091, CITY OF NEW YORK POLICE  
OFFICERS.

Defendants,

Plaintiff, Keith Thompson Alleges:

AMENDED

COMPLAINT

11 CIV. 5310 (P.A.C)

JURY DEMAND  
ENDORSED  
HEREIN

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#  
DATE FILED: 2/6/12

1. This is an action brought under 42 U.S.C. §1983 to recover damages against defendants for violation of plaintiff's right to be free of unreasonable searches and seizures under the *Fourth and Fourteenth Amendments to the United States Constitution*. Also, under Title 18 U.S.C. Section 241, conspiracy against rights.
2. The jurisdiction of this Court is predicated on 28 U.S.C. §1331 and 1343.
3. Plaintiff, Keith Thompson, is, and at all times mentioned in this complaint was, a citizen of the United States, and a resident of Queens County, New York.
4. The events giving rise to this to this Action, occurred in New York, New York. Venue is therefore proper under U.S.C. §1391(b).
5. Defendants, Ruiz and Muentes, are at all times mentioned in this complaint, an agent of the New York City Police Department, employed as New York City Police Officers.
6. Defendants, Ruiz and Muentes, are at all times mentioned in this complaint, acting in the course and scope of their employment with the New York City Police Department.
7. Defendants Ruiz and Muentes, are at all times mentioned in this complaint, acting under Color of State Law.
8. Defendants Ruiz and Muentes, are sued in their Official Capacity.
9. At about 6:50am, on May 10, 2011, Defendants, Officer Ruiz and Officer Rafael Muentes, stopped and approached Plaintiff, Keith Thompson; while he was working for his company, driving trucks, making deliveries. Plaintiff, Keith Thompson, stopped vehicle in front of 2035 1<sup>st</sup> Ave. & 105<sup>th</sup> St. N.Y. N.Y. Defendant, Ruiz ordered Plaintiff, who was working to move the company truck, in front of a fire hydrant.

10. Officer Ruiz, also threatened Plaintiff, if he didn't move the truck, in front of the fire hydrant, he was going to issue a ticket. Then both Officers ordered Plaintiff against the company truck and began searching Plaintiff's pockets, and found nothing for reasonable cause. Officer Ruiz conducted the search. After finding nothing incriminating and releasing Plaintiff; Officer Ruiz and Officer Rafael Muentes, walked back to their vehicle and Officer Ruiz shouted to Plaintiff, "NEXT TIME MOVE THE TRUCK NIGGA!"
11. Officer Ruiz and Muentez, Officer, participating in the above described, search without warrant or just cause, did so pursuant to a policy and practice of the New York City Police Department, existing at the time and place to conduct searches consisting of the random search and seizure of pedestrians without warrant or just cause in the hope of apprehending individuals.
12. The above described stopped, and an illegal search and seizure was executed under the control and direction of the New York City Police Department supervisory and policy making employees.
13. The New York City Police Department condoned and tolerated warrantless searches and seizures by its Officers, such as that described herein and had a policy and practice of tolerating such conduct and not disciplining Officers for engaging in such illegal conduct.
14. The New York City Police Department failed to properly train and supervise its employee Police Officers in the applicable law and practice and procedure of searches and seizures.
15. In acting as alleged in this complaint, Defendants Ruiz and Muentes, who are Police Officers of the City of New York, violated Plaintiff's right to be free of unreasonable searches and seizures under the *Fourth Amendments to the United State Constitution*.
16. As a direct and proximate result of Defendants actions, described in this complaint, Plaintiff suffered a Loss of Liberty, Invasion of Privacy, Emotional Distress and Pain and Suffering.
17. In acting as is alleged in this complaint, Defendants acted knowingly, willfully, maliciously, reckless and callous disregard for Plaintiff's Federally Protected Rights.

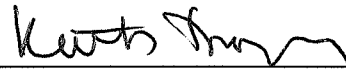
WHEREFORE, Plaintiff prays for judgement against Defendants as follows:

1. For compensatory damages, in an amount to be determined according to proof at trial;
2. For punitive damages, in an amount to be determined according to proof at trial;
3. For such other and further relief as the Court deems proper.

**JURY DEMAND**

Trial by jury is hereby demanded.

Dated: February 4, 2012



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Keith Thompson, Pro Se  
50-14 Broadway, Apt. 4D  
Woodside, N.Y. 11377  
Phone: 718 607-6230



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NOTARY PUBLIC

**Miuset Castillo**  
**Commissioner of Deeds**  
**City of New York - No. 2-13319**  
**Certificate Filed in New York County**  
**Term Expires: July 01, 20** 13

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKKeith Thompson

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

11 Civ. 5310 THK ( )

- against -

Officer Ruiz, Shield #10766 And  
Officer Rafael Muentes, Shield #  
30091, City of New York Police  
Officers

## AFFIRMATION OF SERVICE

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, Keith Thompson, declare under penalty of perjury that I have  
(name)served a copy of the attached Amended Complaint  
(document you are serving)upon City Cooperation Counsel Mr. E. Abt whose address is 100 Church  
(name of person served)  
Street, New York, New York, 10007  
(where you served document)by Personal Delivery  
(how you served document: For example - personal delivery, mail, overnight express, etc.)Dated: Queens, NY  
(town/city) (state)  
February, 4, 2012  
(month) (day) (year)**Daniel Badalov**  
Notary Public - State of New York  
No. 01BA6179076  
Qualified in Queens County  
Commission Expires Dec. 24, 2015Keith Thompson  
Signature  
50-14 Broadway, apt. 40  
Address  
Woodside, N.Y. 11377  
City, State  
11377  
Zip Code  
718-607-6230  
Telephone Number